

DECLARATION OF ROBERT D. KAWAMURA

ROBERT D. KAWAMURA, declares under penalty of perjury that the following is true and correct;

1. He makes this declaration based upon his own personal knowledge and is competent to testify as to the matters set forth herein.

2. He is counsel for Plaintiff/Limitation Defendants SHIROH FUKUOKA, Individually and as Personal Representative of THE ESTATE OF MITSUKO FUKUOKA, and as Next Friend Of MIHO FUKUOKA, a Minor, in this case.

3. Attached hereto as Exhibit "1" is a true, correct and complete copy of Thomas C. Ebro's June 24, 2005 Preliminary Expert Report, Ex. "1".

4. Attached hereto as Exhibit "2" is a true, correct and complete copy of Miho Fukuoka's Response to Limitation Plaintiff's First Request for Answers to Interrogatories to Defendant Miho Fukuoka.

5. Attached hereto as Exhibit "3" is a true, correct and complete copy of Shiroh Fukuoka's Response to Limitation Plaintiff's First Request for Answers to Interrogatories to Defendant Miho Fukuoka.

6. Attached hereto as Exhibit "4" is a true, correct and complete copy of the 8-14-02 Ambulance Report.

7. Attached hereto as Exhibit "5" is a true, correct and complete copy of the 8-14-02 Castle Medical Center Emergency Room Record.

8. Attached hereto as Exhibit "6" is a true, correct and complete copy of the City and County of Honolulu, Department of the Medical Examiner's records relating to the subject incident.

9. Attached hereto as Exhibit "7" is a true, correct and complete copy of Plaintiffs/Limitation Defendants Shiroh Fukuoka, Individually And As Personal Representative Of The Estate Of Mitsuko Fukuoka, And As Next Friend Of Miho Fukuoka's First Request For Answers To Interrogatories And Request For Production Of Documents and Things to Limitation Defendant/Limitation Plaintiff Morning Star Cruises, Inc.

10. Attached hereto as Exhibit "8" is a true, correct and complete copy of Certificate of Service for the discovery request mentioned in the preceding paragraph.

11. On June 23, 2006, Limitation Defendants served Plaintiffs/Limitation Defendants Shiroh Fukuoka, Individually And As Personal Representative Of The Estate Of Mitsuko Fukuoka, And As Next Friend Of Miho Fukuoka's First Request For Answers To Interrogatories And Request For Production Of Documents And Things to Limitation Defendant/Limitation Plaintiff Morning Star Cruises, Inc., upon Limitation Plaintiff. The responses were due July 23 2006. Recently, counsel for Limitation Plaintiff

telephoned declarant to say that the responses were forthcoming,
but to date none have been received.

Dated: Honolulu, Hawaii, August 3, 2006.


Robert D. Kawamura